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REVOLUTION IN THE DISPOSING OF PUBLIC LAND OF TERRITORY

**Far-Reaching Policy Announced by Land Board
at First Meeting—Hereafter It Is Home-
steader First, Plantation After.**

No government public land may lawfully, under the provisions of the land law amendments to the Organic Act, be leased until after possible and prospective homesteaders and the public generally shall first have been notified that the land is available for homesteading. No leases of public lands shall be renewed until after similar opportunity shall have been offered for homesteading. This is mandatory upon the land board.

The above interpretation of the new land law amendments is the bombshell which W. A. Kinney, a member of the board, threw into the land board yesterday afternoon at the lengthy meeting of the newly created body of guardians of the public domain, and if his interpretation of the law is accepted as the correct one, the entire land policy of the Territory of Hawaii will be changed and the bona fide homesteader will take precedence over the sugar planter, the ranchman and all the other big owners and lessees of land who want to buy or lease public land.

In other words, the intent of congress as expressed in the land law amendments to the Organic Act is that the land belongs, and should belong, to the people and the homesteader should have first preference. Mr. Kinney in his remarks at the meeting of the board took the ground that congress in passing the land law amendments has rebuked the Territory of Hawaii for the way in which the land question in these islands has been handled in the past, and serves notice on the people of this Territory that in the future there must be a change in the land policy and the man who wants to go upon the land and make a home for himself and his family is the man who must be preferred to the man who wants to accumulate many acres.

A New Era—Publicity.

The meeting of the land board yesterday was one of the most important of all the meetings that have been held in this Territory in many years and its consequences may be more far reaching.

And the attitude of the board marks a new era in the conduct of the public business in Hawaii. For it was definitely decided that, so far as the land board is concerned, there shall be no executive sessions. Everything shall be in the open and the general public shall at all times be permitted to be present and know what is being done and what is contemplated. In view of the attitude of most other public and semi-public institutions in this Territory, this announced policy of the new land board is almost revolutionary.

Not All Agreed.

Mr. Kinney's opinion that the new law allows the land board and the land commissioner no discretion whatever in regard to the opening up of land for homesteading whenever such opening shall be demanded by twenty-five applicants for land and that the claims of all lessees shall be considered subordinate to those of prospective homesteaders was not fully concurred in by some of those present. Both L. A. Thurston and chairman Alfred Carter stated that in their opinion Mr. Kinney was going too far in his interpretation of the law and that certainly some discretion should lie with the board. Land Commissioner Marston Campbell also said that he was unable to see the matter in the same light as that in which Mr. Kinney looked at it. He feared that it would entail a great amount of trouble and expense without in many cases producing the results expected.

Mr. Carter expressed the opinion that, while the rights of the homesteader should be amply protected by the board, still it should not be forgotten that the lessee has some rights, too. A lessee whose lease is about to expire has the right to be informed in a reasonable time as to whether or not the lease will be renewed.

May Be No "Kapua Deal."

If W. A. Kinney's interpretation of the law is adopted by the land board, it may result in the falling through of the "Kapua deal," the contemplated leases which are provided for in the agreement between the McBryde Sugar Company and the government may be killed through the requirement that nothing along that line be done for a year at least, until after prospective and possible homesteaders shall first have been given an opportunity to declare whether or not they want the government land or any of it which is proposed to lease to the plantation.

It was the matter of the proposed Kapua leases and water rights which brought about the momentous discussion. And although the members of the board constantly reverted to these proposed transactions, upon which they had been called by the land commissioner to pass, the effect of the discussion reaches far beyond the particular matter of the Kapua lands and affects the general land policy of the Territory.

Mr. Thurston, who was present in the interest of the Kapua deal, explained to the members of the board, with the aid of a map, the lay of the land and the possibilities of bringing water upon it. After some considerable discussion, Mr. Kinney proposed that action be deferred, for the reason above cited, in order to give possible homesteaders the first chance at the land. "Suppose," he said, "that thirty days after you have let this lease, twenty-five men step in with

a petition to be allowed to take up homesteads; what are you going to do? You would have to give very substantial reasons for thwarting that demand."

Mr. Kinney went on to say that all agricultural land is subject to that provision in the Organic Act amendment that provides that upon the petition of twenty-five applicants the land commissioner must survey and open for entry such agricultural land or similar land located as close to that applied for as possible. "There isn't a foot of government land," he said, "that isn't subject to that demand."

Possibilities of Kapua.

The commission discussed at length the physical possibilities of the land and the chances of getting water upon it for homesteaders or others. Mr. Thurston asked Land Commissioner Campbell whether or not the latter had any fund which might be used to make water available on the land. Mr. Campbell said that it was a question of (Continued on Page Two.)

CASE IS TAKEN FROM CATHCART

**County Attorney Will Not Be
Asked to Appear in Man-
slaughter Trial.**

County Attorney John Cathcart will not prosecute the manslaughter case against Manuel Richards, the chauffeur indicted by the grand jury for killing an old Hawaiian man. Neither will either of Mr. Cathcart's deputies. The reason therefor and for the decision of Attorney-General Lindsay to conduct the prosecution himself, is that in indicting Richards, the territorial grand jury took the bit in its teeth and ran away with the county attorney. Cathcart was opposed to the indictment of Richards and tried to prevent it. But the grand jury refused to be dictated to and returned the indictment anyway, though Cathcart insisted that there was not sufficient evidence to warrant Richards being put on his trial.

In view of the county attorney's action in the matter, Attorney-General Lindsay will handle the prosecution himself. There is also a probability that the attorney-general may take the Aylett graft charges out of the hands of the county attorney's office and present the matter to the grand jury himself, on account of the fact that at least one member of the county attorney's office and a go-between, Willie Crawford, who frequently represents Brown in various transactions are more or less concerned in the charges made by Supervisor Aylett. Aylett had a conference with the attorney-general yesterday.



SUPPOSE IT HAD BEEN REAL MONEY!

REFUSE A LICENSE TO HOFFSCHLAEGER & CO.

**Liquor Commissioners
Create Havoc in the
Saloon Ranks.**

Six heads fell before the axe wielded at the meeting of the board of liquor commissioners yesterday afternoon at the executive building, all of those being chosen for the block on consistent policies of the board, either adopted yesterday or already in force.

Not only did the board take this radical action regarding the applications for renewals of licenses, but it also adopted resolutions even more radical for the labeling of compounds and rectified wet goods.

Those whose applications were turned down yesterday were Wing Chung Lung, Hop Heng, the Aala Saloon, Kwong Chung Lung, the Prost Saloon and Hoffschlaeger & Co. The refusal to grant a wholesale license to the last named created the most surprise, the board giving no reasons for its action.

The reasons for the refusals of the others, however, were plain enough, most of the Chinese suffering through their persistence in selling the cheapest and very worst variety of wines at such a small price that those of the most limited means can secure enough for a dozen jugs for a quarter, jugs that brought too often in their train woes and miseries that effected the drinker and those about him.

Those who suffered in consequence of this were Wing Chung Lung and Kwong Chung Lung, the first named being at the corner of Mauna Kea and Hotel and the last at the corner of Mauna Kea and King. Liquor Inspector Fennell has long been watching these places and while he returned no report on them to the board, his verbal report during the executive session is supposed to have put the quietus on the places mentioned.

Charles Chillingworth appeared for Wing Chung Lung, having taken the case on the request of a brother attorney who had to leave for the other islands. The action of the board in this case was evidently anticipated, for Chillingworth quoted the probable objections and tried to refute them.

He stated that he had heard the board was to be told that a drunken man had been seen ejected from the saloon in question and that there were other evidences that the place was kept in a disorderly manner. He assured the board that such reports were groundless and that the police records showed the Wing Chung Lung saloon to have been a quietly conducted place. It is from this place that the liquor was secured upon which a party of little boys became staggering drunk some

LICENSES GRANTED.	
Ah Chow	E. Cunha
T. Sumida	C. J. McCarthy
S. Kimura	J. T. Scully
G. Cordes	Jos. T. Silva
Sonouchi	Dias & Dias
Wing Wo Tai	Mrs. B. Klemme
P. T. Ryan	Jas. Thompson
W. C. Peacock	Seattle Brewing Company
Chung Ming.	
LICENSES DENIED.	
Wing Chong Lung	Aala Saloon
Hop Heng	Prost Saloon
Kwong Chong Lung	Hoffschlaeger & Co.

time ago, but Chillingworth did not mention this.

The refusals in the cases of the Prost and Aala saloons were not only on renewals of license but for transfers, these places having been hit by the rule of the board forbidding all saloons outside the fire limits.

This rule, however, was not applied in all instances, for Gus Cordes, of the River Rhine Saloon on the Ewa side of the river on King street, received his renewal and permission to move further Waikiki on the same street. He will reopen just Waikiki of the fishmarket. In granting Cordes a renewal, consideration was given to the fact that he is a cripple with a large family and can absolutely not support his family in any other way. The board argued that while licenses must be granted it is only fair that those who need them most should have them.

The board also sat on a renewal of the attempt to get Sunday privileges, Mrs. Bertha Klemme's application for the same being denied while her application for renewal was granted.

Hit Rectifiers.

The most radical resolution that the board has adopted for some time was passed in the following words:

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MARATHON NIGEL IS NOW IN THE TANKS

Nigel Jackson, the perpetual marathon wonder, was arrested yesterday and is now a lodger in High Sheriff Henry's home of hasbeens, directly next to the cell formerly occupied by Anderson Grace.

The charge against him is a violation of the Edmunds Act, a complaint against him having been lodged with the district attorney, being followed by a bench warrant yesterday. It is not reported that he has taken his oxygen machine with him.

CONSERVATION BILLS.

WASHINGTON, June 15.—The senate today passed a bill providing for the withdrawal of specified areas of public lands the bill also including \$30,000,000 for irrigation purposes.

CHARGES MISUSE OF THE MAILS

**Officials of United Wireless Com-
pany Arrested—Vast Swindle
Alleged.**

NEW YORK, June 16.—Great excitement was caused in financial circles here today by the arrest of the officials of the United Wireless Company, the great Pacific rival of the Marconi system. They have been charged with the misuse of the mails.

The details of the indictments against them accuse them of using the postoffice in obtaining money under false pretenses. It is alleged that the great blocks of stock in the company which they have been selling from \$10 to \$50 a share, are actually worth only two cents a share.

The federal inspectors who uncovered the swindle claim that some of the officials cleaned up more than \$5,000,000. There are over 28,000 stockholders in the company.

AYLETT MAKES STATEMENT ON BRIBERY CASE

Following the statement of the city attorney before the supervisors at their noon meeting Tuesday, Supervisor Aylett told the story of his famous bribery case to City Attorney Cathcart yesterday.

The statement which he then made was similar in every respect to that he told The Advertiser last Monday, and it will be presented to the grand jury by some one either today or tomorrow, when that body calls a special meeting for the express consideration of this subject.

The grand jury met yesterday, but neither Ahia nor Aylett was on hand to testify, and other matters occupied its attention all morning. Aylett would say nothing further in public yesterday, and upon being asked tapped his left temple significantly with his finger.

"It's all inside," he said, although the tapping sounded like the first notes on a lulu gourd.

FLOODS IN SWITZERLAND.

BERNE, Switzerland, June 15.—Disastrous floods have been sweeping the rivers of Switzerland, the Servias and Belgium. Many lives have been lost and much property destroyed.

JUSTICE MOODY MAY SOON RETIRE

WASHINGTON, June 15.—Senator Lodge of Massachusetts has introduced a bill in the senate permitting the retirement of Justice Moody, long continued illness being the cause of the desired retirement.

"I'M RUNNING THE TOWN" HE SAYS

**Mayor McCarthy Says That He
Takes No Orders From Any
Governor.**

"ON WITH THE BIG FIGHT."

**But Promoters Agree That the
Ministers Have Him on
the Run.**

CHICAGO, June 16.—Major P. H. McCarthy of San Francisco, who is a guest in the city, was interviewed yesterday afternoon immediately upon receipt of the news that Governor Gillett of California had forbidden the prize fight between Jim Jeffries and Jack Johnson.

McCarthy's answer was short and to the point.

"I'm running San Francisco," he said, "and am not taking orders from Governor Gillett or his attorney-general. The fight will take place."

Gillett Says "No."

SAN FRANCISCO, June 16.—Late yesterday afternoon Governor Gillett ordered the fight between Jeffries and Johnson stopped in San Francisco. The great pressure brought to bear on him by every representative order of American life to save the Fourth of July from this disgrace has succeeded in its object and his order has created the greatest consternation in sporting circles.

V. S. Webb, attorney-general of California will bring action tomorrow to stop the fight.

It is virtually conceded that the order will be effective and that there will be no fight here and also that it will sound the death-knell of big fights in California. Tex Rickard, the promoter of the fight, will abide by the order of the Governor and make no attempt to pull the fight off in this city. He stated last night that it will take place in either Reno or Ely, Nevada, or Salt Lake City, with the probabilities that Reno will be the selected place.

The sale of tickets for the fight has already reached \$130,000.

Prize Fight.

Gillett wrote his letter to the attorney-general yesterday morning directing him to take steps to enjoin the fight until the courts can determine whether it is a prizefight or a boxing match. "The Californian law, seldom enforced, declares prizefighting a felony. In his letter the Governor orders the arrest and prosecution of all interested in the affair if an injunction fails." More definite action was taken later.

Canceled Bookings.

NEW YORK, June 16.—There have been many cancellations of the special fight trains that were to take the New York sports to San Francisco to witness the fight.

Exposition Did It.

WASHINGTON, June 15.—Representative Bennett of New York recently wired the promoters of the San Francisco exposition to the effect that if the big Jeffries-Johnson fight was allowed to be pulled off in that city it would surely defeat the Panama exposition resolution in interest of San Francisco.

WOULD CARRY MAILS IN AN AEROPLANE

WASHINGTON, June 16.—Representative Morris Sheppard of Texas yesterday introduced a resolution in the house directing the postmaster-general to investigate aeroplanes as means of conveying the mails. The resolution calls for immediate tests of the practicability of this scheme. The experiments will be carried on between Washington and the neighboring cities.

IN CASE OF THE KING'S DEATH

LONDON, June 15.—Premier Asquith has introduced a bill making the queen regent in the event of the death of the king during the minority of the heir apparent, the Duke of Cornwall.